

REMARKS

In the office action dated October 30, 2007, all claims were rejected. In response, Applicants have amended the independent claims 1, 10, 11, 14, and 15. Claims 1-20 are pending. Favorable consideration of the claims as amended is requested.

Independent claims 1, 10, 11, 14, and 15 are being amended to recite that the executable code is configured to be stored on the client device and executed during each of subsequent communications between the client device and the server device, or similar language. The amendment is supported by the present disclosure, for example in the description of the server device 102 and client device 104, where the server device can transmit the framework code to the client device when the client device first connects to the server device and where the stored framework code blocks user input during subsequent communications. (Specification 4:3-19.)

No new matter is added.

Claim rejections

Claims 1-3, 6-7, 10, 11, 14-15, and 18 were rejected under § 103(a) as anticipated by U.S. 20040025037 (Hair) in view of U.S. 20050125545 (Cheshire). Claims 4, 12, and 17 were rejected under § 103(a) as anticipated by Hair in view of Cheshire and U.S. 20040187104 (Sardesai et al.). Claims 5 and 16 were rejected under § 103(a) as anticipated by Hair in view of Cheshire and U.S. 6,724,732 (Abrams et al.). Claim 8 was rejected under § 103(a) as anticipated by Hair in view of Cheshire and U.S. 20020057285 (Nicholas III). Claims 9, 13, and 19-20 were rejected under § 103(a) as anticipated by Hair in view of Cheshire and U.S. 6,854,012 (Taylor).

These rejections are rendered moot in view of the above amendments. Nevertheless, and without conceding that the rejections have merit, Applicants will point to the following differences between Hair, Cheshire, and the present subject matter.

Claim 1 is directed to a method for providing executable code from a server device to a client device, where the executable code is configured to be stored on the client device and be executed during each of subsequent communications between the client device and the server

device. Independent claims 10, 11, 14, and 15 recite similar language. No reference of record discloses or renders unpatentable the feature that executable code for blocking input and presenting a message is configured to be received from a server device, stored on the client device and be executed during each of subsequent communications between the client and the server device.

Hair relates to a system and method for manipulating a computer file and/or program. In particular, Hair states that:

Preferably, the service device 10 includes controlling server software and/or firmware 30 which causes the encryption of the unencrypted computer file and/or program and the permissions and/or rights and instructs the client device 11 to temporarily suspend user intervention when the client device 11 receives the encrypted computer file and/or program and the encrypted permissions and/or rights. The client device 11 preferably includes controlling client software and/or firmware 31 which causes the decryption of the encrypted computer file and/or program. Preferably, the client device has a mechanism for requesting the unencrypted computer file and/or program from the server device. (Hair Page 5 Paragraph 31).

The Examiner took the position that by instructing the client to suspend user intervention, the server software and/or firmware is providing executable code. However, the server communication code is apparently not configured to be stored on the client device and be executed during each of subsequent communications between the client device and the server device. In fact, Hair teaches that the executable code is transmitted by the server device for each separate communication. That is, in Hair's disclosure, it is the server, and not the client, who takes the initiative to block input, and this requires a separate transmission for each client-server communication.

Cheshire relates to a method for preventing presentation of a timeout from reaching a network host. In particular, Cheshire states:

This timeout message may also be displayed to the user by the operating system or the application. That is, when the name to IP address translation cannot be performed or is unsuccessful, the user is notified after a certain period of time has elapsed. In a system that provides for easy, transparent connection to the Internet, such error messages being communicated to the user ***ruins the transparency of the process, thus frustrating***

the user who expects an effortless connection to the Internet. (Page 1, Paragraph 6 (emphasis added).

First, Cheshire strongly criticizes the technology he describes (which occurs in the background section of the Cheshire application). The office action did not provide any reason why a person of ordinary skill in the art would nevertheless adopt the criticized technology.

Second, in addition to teaching away from providing messages to the user, Cheshire does not disclose input blocking. That is, in the Cheshire disclosure, the presentation of the timeout message does not block user input.

Third, Cheshire does not disclose that the executable code should be received from a server device. That is, in the Cheshire disclosure it is the operating system, not executable code received from the server device, that causes the presentation of the message after a certain period of time.

For at least the above reasons, Hair in combination with Cheshire does not disclose or render unpatentable the present subject matter as amended. That is, no reference of record discloses or suggests the feature of providing input-blocking and message-presenting executable code from a server device to a client device, the code configured to be stored on the client device and be executed during each of subsequent communications between the client device and server device. For similar reasons to those described above, Hair in combination with Cheshire does not disclose or render obvious the subject matter of independent claims 10, 11, 14, or 15, or any of the present dependent claims.

Conclusion

Favorable consideration of claims 1-20 as amended is requested.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as

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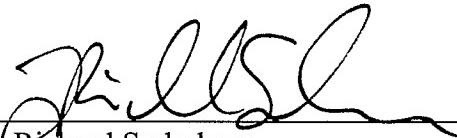
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an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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